THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.20996 OF 1996

DATED: 12-12-2006

Between:

Talasila Sivaramaiah and another

.. Petitioners

and

The Correspondent, Velagapudi Ramakrishna Memorial High School, Vuyyuru, Krishna District and others

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

W.P.NO.20996 OF 1996

Order:

This writ petition is filed seeking a mandamus declaring the order of the 1st respondent dated 30-09-1996 terminating the services of the petitioners as arbitrary, illegal and violative of principles of natural justice; and consequently to direct the respondents 1 to 3 to absorb the petitioners in the posts held by them by granting grant-in-aid to their posts.

It is an admitted fact that the petitioners were working in unaided vacancies in the first respondent school. The posts held by the petitioners were neither admitted to grant-in-aid nor recommended for being admitted to grant-in-aid. However, when the posts became surplus, the services of the petitioners were terminated under the impugned proceedings dated 30-09-2006 by paying three months salary in lieu of notice.

The case of the petitioners is that the management has not followed the procedure laid down in A.P. Education Act 1982 (for short 'the Act') in terminating their services. The management of the school has not obtained any prior approval from the competent authority for terminating the petitioners from service and thus contravened the provisions of the Act.

This question does not arise for consideration since the services of the petitioners were terminated only after following the due process of law by paying three months salary in lieu of notice. Therefore, it cannot be said that the order of termination passed by the 1st respondent is arbitrary, illegal and contrary to Section 83 of the Act. Thus, there are no merits in the writ petition and the same is liable to be dismissed.

The writ petition is accordingly dismissed. No order as to costs.

C.V. RAMULU, J

12-12-2006.

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